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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/071,021	05/01/1998	RICHARD FRANK BRUNO	20-21-26-22-	5065
7590		03/07/2005	EXAMINER TSEGAYE, SABA	
S H DWORETSKY AT&T CORPORATION P O BOX 4110 MIDDLETOWN, NJ 07748		ART UNIT 2662		

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/071,021

Applicant(s)

BRUNO ET AL.

Examiner

Saba Tsegaye

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-15 and 17-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-15 and 17-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to the amendment filed on 06/23/04. Claims 1-5, 7-15 and 17-26 are pending. Currently no claims are in condition for allowance.

Claim Rejections - 35 USC § 103

2. Claims 1-5, 7-15 and 17-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cave (US 5,958,014) in view of Bogart et al. (US 6,173,053).

With regard to claims 1, 11, 14, 21, and 22, Cave discloses a method and system for connecting a call to one of a plurality of agents (12a-12c) in a call center (11), wherein the method comprises receiving a query from a plurality of telecommunications networks (from a caller via a traditional telephone switching network or via Internet (column 3, lines 1-3)), regarding whether at least one agent is available (column 3, lines 45-60); determining which agent is to be connected based on the availability of the agent as well as a most idle agent criteria. Further, Cave discloses that it may be also desired to select the agent based upon the context of the user, a history of requests, or upon other statistical, monitored, or preprogrammed data (column 3, line 60 to column 4, line 2); and connecting the call to the determined agent (column 4, lines 3-11). Cave fails to teach that available agent is to be connected based on one of an agent skill level.

Bogart teaches selecting an agent is based on availability and based on agent skill level (column 2, lines 2-26).

Art Unit: 2662

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings from Bogart of selecting an agent based on agent skill level to the system for establishing a real-time agent poll disclosed by Cave. One of ordinary skill in the art would have been motivated to do this because selecting an agent based on agent skill level allows maximizing call center performance, maximizing call throughput, and minimizing cost since the call handled by an agent who can handle the call in the shortest amount of time (column 1, lines 39-55).

With regard to claims 2 and 12, Cave discloses that an availability entry is updated for the agent to indicate that the agent is unavailable when the call is connected to the agent, and to indicate that the agent is available when the call terminates (see figs. 5-8; column 4, line 50- column 5, line 49).

With regard to claim 3, Cave in view of Bogart fails to teach that the response to the query uses SS7 signaling. SS7 has been a well known standard for signaling. It would have been obvious to one of ordinary skill in the art to use SS7 signaling for the response to the query because such an arrangement would allow the system to make use of a well known standard for signaling.

With regard to claim 4, Cave discloses that the step of determining an availability includes determining the availability of each agent and selecting an agent, wherein the step of

Art Unit: 2662

responding to the query includes determining routing instructions for routing the call from the telecommunications network from which the query was received to the selected agent (column 35-51).

With regard to claims 5 and 15, Cave in view of Bogart discloses all the limitations as stated above. Further, Cave discloses that an agent can be selected based upon the context of the user, a history of requests, or upon other statistical, monitored, or preprogrammed data. However, Cave in view of Bogart fails explicitly to teach that the routing instructions are determined based on one of a lowest cost criterion, a hierarchical criterion, an RTNR/Optimized routing criterion, a time of day, a day of the week, a call origination location, and a network congestion condition. It would have been obvious to one of ordinary skill in the art to modify the teaching of Cave in view of Bogart so that it teaches that the routing instructions are determined based on one of a lowest cost criterion, a hierarchical criterion, an RTNR/Optimized routing criterion, a time of day, a day of the week, a call origination location, and a network congestion condition because such an arrangement would allow the system to have a basis for determining which agent to select.

With regard to claims 7-10 and 17-20, Cave in view of Bogart discloses all the claim limitations as stated above. Further, Cave discloses that a network is a traditional telephone switching network or Internet network. Cave in view of Bogart fails explicitly to teach that a network is an ATM network. An ATM network is well known network types. It would have been obvious to one of ordinary skill in the art to modify the invention of Cave in view of Bogart so

Art Unit: 2662

that it teaches that a network is an ATM network because such an arrangement would allow the system to benefit by using a well known, reliable type of network.

With regard to claim 13, Cave in view of Bogart fails to teach that the processor communicates with each network using SS7. SS7 signaling has been well known in the art. It would have been obvious to one of ordinary skill in the art to modify the invention of Cave in view of Bogart so that it teaches that the processor communicates with each network using SS7 because such an arrangement would allow the system to benefit from a well known, reliable type of signaling.

With regard to claims 23-26, Cave in view of Bogart fails to teach that the connection information is a routing telephone number. It would have been obvious to one of ordinary skill in the art to modify the invention of Cave in view of Bogart so that it teaches that the connection information is a routing telephone number because such an arrangement would enable the system to determine the agent based on the agent's telephone number.

Response to Arguments

3. Applicant's arguments with respect to claims 1-5, 7-15 and 17-26 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2662

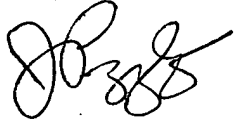
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saba Tsegaye whose telephone number is (571) 272-3091. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ST
March 2, 2005


JOHN PEZZLO
PRIMARY EXAMINER